

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BLUDGEON RIFFOLA LTD.,

Plaintiff,

v.

ALI GEGE STORE, et al.,

Defendants.

Case No. 21-cv-02525

Judge Gary Feinerman

Magistrate Judge Beth W. Jantz

STATUS REPORT REGARDING COURT ORDER [120]

Pursuant to Order [120], Plaintiff Bludgeon Riffola Ltd. (“Plaintiff” or “Bludgeon Riffola”) and Defendant Womens Dresses -YIISU (“Defendant”) submit the following status report addressing: (1) the status of jurisdictional discovery; and (2) proposed briefing schedule on Defendant’s motion to vacate [96].

A. Status of Jurisdictional Discovery

On August 12, 2022, the Court granted in part Plaintiff’s motion to compel regarding discovery requests related to personal jurisdiction. [120]. On August 16, 2022, the Seventh Circuit ruled in *NBA Properties, Inc. v. HANWJH*, 2022 WL 3367823 (7th Cir. 2022) and found that jurisdiction is proper over a China-based Amazon store operator that advertised, offered to sell, and sold an alleged infringing product to plaintiff’s investigator in Illinois. In view of the decision in *NBA*, Defendant withdrew his objection to personal jurisdiction, and therefore did not provide the additional court ordered discovery by the August 26, 2022 deadline.

B. Briefing Schedule Regarding Defendant's Motion to Vacate Default Judgment

Plaintiff's Position

Plaintiff's position is that Plaintiff's Motion for Sanctions [98] (fully briefed), Motion for Reconsideration [123] and Motion to Strike [126] should be addressed before Defendant's Motion to Vacate [78]. If granted, Plaintiff's Motions could resolve the case against Defendant.

Alternatively, Plaintiff requests a ruling on its pending Motion to Compel [127] so that it can obtain the information necessary to respond to Defendant's Motion to Vacate. If Plaintiff's Motion to Compel [127] is granted, Plaintiff requests three weeks to respond to Defendant's Motion to Vacate [78] from the date on which Defendant is required to produce the requested information, and that Defendant be given one week for a reply.

Defendant's Position

On August 25, 2022, Defendant filed its Response to Plaintiff's Motion for Reconsideration [123] and Defendant's Motion to Set Schedule for Defendant's Motion to Dismiss [117] and Motion to Vacate Preliminary Injunction [96].

On August 30, 2022, Defendant filed its response to Plaintiff's discovery requests as to Injunction.

On September 1, 2022, Defendant filed its supplementary response to Plaintiff's discovery requests as to Injunction. Defendant has diligently exhausted its efforts to respond to Plaintiff's discovery requests as to injunction. Moreover, Amazon platform also disclosed Defendant's sales data to Plaintiff under Expedited Discovery. Defendant refuses to respond further to Plaintiff's endless and unreasonable discovery requests as to Injunction. Denial of Plaintiff's further

Discovery Requests as to Injunction and Plaintiff's Motion to Compel [127] will not preclude it from presenting arguments in Response to Defendant's Motion to Vacate Injunction.

On September 3, 2022, Defendant submitted its Response to Plaintiff's Motion to Strike [126], and the Response is waiting to be viewed and filed in the docket by the court clerk.

At this stage, Defendant is requesting a ruling on Defendant's pending Motion to Vacate Preliminary Injunction [96] and Motion to Dismiss Plaintiff's Complaint [117]. Defendant disagrees with Plaintiff's proposed extension to respond to Defendant's Motion.

Dated this 6th day of September 2022. Respectfully submitted,

/s/ Justin R. Gaudio

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September 2022, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system. The CM/ECF system will send a “Notice of E-Filing” to the parties of record in this case, including Defendant Womens Dresses -YIISU.

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